

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
29	10/14	10:52	97033087751	EC--S	03'13"	012	159	OK

FACSIMILE MESSAGE - PLEASE DELIVER PROMPTLY

October 14, 2004

TO: OIPE-Customer Service
(703) 308-0910

FROM Justin D. Karjala
Celera Genomics Corp.
(240) 453-3812

FAX NO: (703) 308-7751

OF PAGES (incl. cover): 12

First Named Inventor: Song HU, et al.

Serial No.: 09/903,582

Filing Date: July 13, 2001

Atty. Docket No.: CL001274

Agent for Applicants hereby request the status of the Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a) filed at the United States Patent and Trademark Office on December 15, 2003 for the above-referenced-application. Please find attached a copy of the Date Stamped receipt postcard with the supporting documentation.

FACSIMILE MESSAGE - PLEASE DELIVER PROMPTLY

October 14, 2004

TO: OIPE-Customer Service
(703) 308-0910

FROM Justin D. Karjala
Celera Genomics Corp.
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**RECEIPT OF THE FOLLOWING IS ACKNOWLEDGED IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE:**

Song HU et al.

Atty Docket No.: CL001274

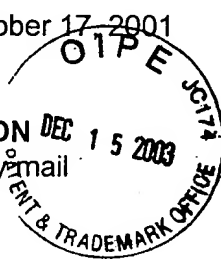
In re Appln. Serial No. 09/903,582

Date: December 15, 2003

Title: ISOLATED HUMAN SECRETED
PROTEINS, NUCLEIC ACID MOLECULES
ENCODING HUMAN SECRETED
PROTEINS, AND USES THEREOF

- ☒ Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a)
- ☒ Copy of Date Stamped receipt postcard
- ☒ Copy of Response to Missing Parts filed on October 17, 2001

BOX: PATENT APPLICATION DEC 15 2003
Please date-stamp and return by mail



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Song HU et al.

Art Unit: 1646

Serial No.: 09/903,582

Examiner: To Be Assigned

Filed: July 13, 2001

Atty. Docket: CL001274

For: ISOLATED HUMAN SECRETED
PROTEINS, NUCLEIC ACID MOLECULES
ENCODING HUMAN SECRETED PROTEINS,
AND USES THEREOF

**PETITION TO WITHDRAW HOLDING OF
ABANDONMENT UNDER 37 CFR 1.181(a)**

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Mail Stop: Petitions

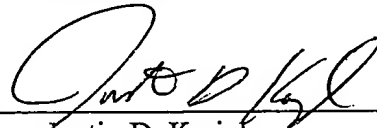
Sir:

In accordance with 37 CFR 1.181(a), Applicant respectfully requests that the above identified application be withdrawn from the holding of abandonment. Attached is a copy of the Notice of Abandonment, followed by a copy of the Applicant's response to the Notice to File Missing Parts dated September 17, 2001. In addition, submitted herewith is a copy of the date-stamped postcard received from the United States Patent and Trademark Office in connection with the response filed on October 17, 2001. Applicant notes that the Notice of Recordation of Assignment mailed December 28, 2001 was received, and the Assignment filed concurrently with the Response to the Notice to File Missing Parts was recorded at Reel/Frame 012261/0317.

Applicant confirms that on October 18, 2001, deposit account number 50-0970 was charged \$130.00 and \$40.00. However, the attached fee transmittal submitted on October 17, 2001, authorizes a total of \$1,216.00 to be charged to Applicant's deposit account. Therefore, the Commissioner is hereby authorized to charge the remaining balance of \$1,046.00, and any other necessary fees or credit any overpayments in connection with the above identified application to deposit account number 50-0970.

Respectfully submitted,

CELERA GENOMICS

By: 
Justin D. Karjala
Reg No. 43,704

Date: December 15, 2003

Celera Genomics Corporation
45 West Gude Drive, C2-4#21
Rockville, MD 20850
Tel: 240-453-3812
Fax: 240-453-3084

**RECEIPT OF THE FOLLOWING IS ACKNOWLEDGED IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE:**

In re Appln. Serial No. 09/903,582

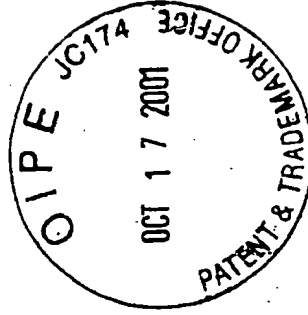
Title: ISOLATED HUMAN SECRETED ...

Atty Dkt No.: CL001274

Date: 10/17/2001

Due: 11/17/2001

☒ Transmittal Form
☒ Fee Transmittal (in duplicate)
☒ executed Declaration and Power of Attorney
☒ Assignment Recordation and executed Assignment
☒ copy of Notice to File Missing Parts
☒ Return receipt postcard



BOX: PATENT APPLICATION

Please affix serial number / receipt date stamp and return by mail

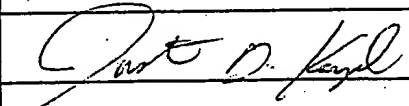
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>	Application Number	09/903,582	
	Filing Date	07/13/2001	
	First Named Inventor	Song HU et al.	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	9	Attorney Docket Number	CL001274

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <h2 style="text-align: center;">Declaration</h2>
<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Remarks</div> </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Justin D. Karjala, Reg. No. 43,704
Signature	
Date	10/17/2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **1216**

Complete if Known

Application Number **09/903,582**
Filing Date **October 17, 2001**
First Named Inventor **Song HU et al.**
Examiner Name
Group Art Unit
Attorney Docket No. **CL001274**

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-0970**
Deposit Account Name **Celera Genomics**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:
☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) **740**

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
23	20** = 3	18	54
Independent Claims 6	3** = 3	84	252
Multiple Dependent		270	0

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	290	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) **306**

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES


Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) **170**

SUBMITTED BY

Complete if applicable

Name (Print Title)	Justin D. Karjala	Registration No. (Attorney/Agent)	43,704	Telephone	240-453-3812
Signature		Date	17-Oct-01		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

(7) (1)

RULE 63 (37 C.F.R. 1.63)
INVENTORS DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ISOLATED HUMAN SECRETED PROTEINS, NUCLEIC ACID MOLECULES ENCODING HUMAN SECRETED
PROTEINS, AND USES THEREOF**

the specification of which (check applicable box(s)):

☐ is attached hereto

☒ was filed on July 13, 2001 as U.S. Application Serial No. 09/903,582

☐ was filed as PCT International application No. _____ on _____

and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number

Country

Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number

Date/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

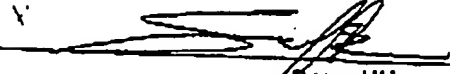
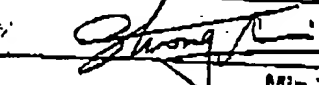
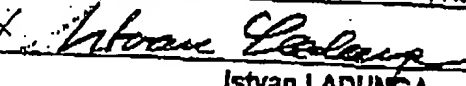
Prior U.S./PCT Application(s):

Application Serial No.

Day/Month/Year Filed

Status: patented
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint CELERA GENOMICS, Attn: Robert A. Millman, Director of Intellectual Property, 45 West Gude Drive C2-4#20, Rockville, Maryland 20850, telephone number (240) 453-3067 (Customer No. 25748, and to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively owner's/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Robert A. Millman, Reg. No. 36,217; Michael J. Schmelzer, Reg. No. 43,093; Justin D. Karjala, Reg. No. 43,704; Lin Sun-Hoffman, Reg. No. 47,983. I also authorize CELERA GENOMICS to delete any attorney names/numbers no longer with the company and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to CELERA GENOMICS on behalf of the owner(s).

1. Signature: 
Residence Address: Pleasanton, CA
Post Office Address: c/o Celera Genomics, 45 West Gude Drive, Rockville, MD 20850
Date: 09/24/01
Citizenship: US
2. Signature: 
Residence Address: San Jose, CA
Post Office Address: c/o Celera Genomics, 45 West Gude Drive, Rockville, MD 20850
Date: 09/24/01
Citizenship: CN
3. Signature: 
Residence Address: Foster City, CA
Post Office Address: c/o Celera Genomics, 45 West Gude Drive, Rockville, MD 20850
Date: 09/24/01
Citizenship: HU
4. Signature: _____
Residence Address: _____
Post Office Address: c/o Celera Genomics, 45 West Gude Drive, Rockville, MD 20850
Date: _____
Citizenship: _____
5. Signature: _____
Residence Address: _____
Post Office Address: c/o Celera Genomics, 45 West Gude Drive, Rockville, MD 20850
Date: _____
Citizenship: _____
6. Signature: _____
Residence Address: _____
Post Office Address: c/o Celera Genomics, 45 West Gude Drive, Rockville, MD 20850
Date: _____
Citizenship: _____
7. Signature: _____
Residence Address: _____
Post Office Address: c/o Celera Genomics, 45 West Gude Drive, Rockville, MD 20850
Date: _____
Citizenship: _____
8. Signature: _____
Residence Address: _____
Post Office Address: c/o Celera Genomics, 45 West Gude Drive, Rockville, MD 20850
Date: _____
Citizenship: _____

RECORDATION FORM COVER SHEET
PATENTS ONLY

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

- | | |
|-------------------|----|
| 1. Song HU | 5. |
| 2. Min ZHONG | 6. |
| 3. Istvan LADUNGA | 7. |
| 4. | 8. |

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- | | |
|------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____ | |

Execution Date: 1. - 3. 9/24/2001

2. Name and address of receiving party(ies)

Name: PE CORPORATION (NY)

Internal Address: Global Headquarters

Street Address: 301 Merritt 7
P.O. Box 5435

City: Norwalk, State: CT Zip: 06856-5435

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 09/24/01

A. Patent Application No.(s)
09/903,582 (CL001274)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Celera Genomics

Internal Address: _____
Attn: Robert Millman
Director of Intellectual Property

Customer Number 25748

Street Address: 45 West Gude Drive, C2-4#20

City: Rockville, State: Maryland Zip: 20850-1159

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

50-0970

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Justin D. Karjala, 43,704

Name of Person Signing


Signature

October 17, 2001

Date

Total number of pages including cover sheet, attachments, and documents: 2

ASSIGNMENT OF PATENT APPLICATION

(Inventors) Song HU
Min ZHONG
Istvan LADUNGA

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned, the undersigned agree(s) to assign, and hereby sell(s) and assign(s) to PE CORPORATION (N.Y.), a New York corporation, located at Global Headquarters, 301 Merritt 7, P.O. Box 5435, Norwalk, CT 06856-5435 (the Assignee) his/her entire right, title and interest

check applicable box(es)

- ☒ for the United States of America (as defined in 35 U.S.C. Sec. 100),
☒ and throughout the world

in the invention(s) known as

ISOLATED HUMAN SECRETED PROTEINS, NUCLEIC ACID MOLECULES ENCODING HUMAN SECRETED PROTEINS, AND USES THEREOF

for which the undersigned has (have) executed on even date herewith an application for patent in the United States of America or, if not on even date, then has executed on _____ or has already filed U.S. Application Serial No. 09/903,582 on July 13, 2001, in any and all applications thereon in any and all Letters Patent(s) therefor, and in any and all reissues, extensions, renewals, reexaminations, divisions and continuations of such applications or Letters Patent(s) to the full end of the term or terms for which such Letters Patent(s) issue, such entire right, title and interest to be held and enjoyed by the above-named Assignee the same as they would have been held and enjoyed by the undersigned had this assignment and sale not been made.


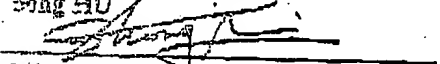
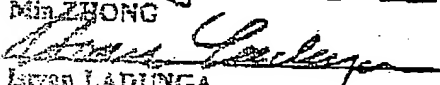
The undersigned agree(s) to execute all papers necessary in connection with the application(s) and any continuing, divisional, reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning the application(s) or any continuation, division, reissue or reexamination thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned hereby covenant(s) that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreement in conflict therewith.

The undersigned hereby grant(s) Robert A. Millman (Reg. No. 36,217), Michael J. Schmelzer (Reg. No. 43,093), Lin Sun-Hoffman (Reg. No. 47,953) and Justin D. Karjala (Reg. No. 43,704), telephone (240)453-3067, with a mailing address at: CELERA GENOMICS, Attn: Robert A. Millman, Director of Intellectual Property, 45 West Gude Drive C2-4#20, Rockville, MD 20850-1159, power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned on the date(s) opposite the undersigned name(s).

	09/24/01		
Song HU	Date:		Date:
	09/24/01		
Min ZHONG	Date:		Date:
	09/24/01		
Istvan LADUNGA	Date:		Date:
	Date:		Date:
	Date:		Date:
	Date:		Date:
	Date:		Date:
	Date:		Date:



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/903,582	07/13/2001	Song Hu	CL001274

CONFIRMATION NO. 6381

FORMALITIES LETTER



OC000000006563450

25748
CELERA GENOMICS CORP.
ATTN: ROBERT A. MILLMAN, PATENT DIRECTOR
45 WEST GUDE DRIVE
C2-4#20
ROCKVILLE, MD 20850

Date Mailed: 09/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE